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C O N F I D E N T I A L SECTION 01 OF 02 COLOMBO 001027

SIPDIS

DEPARTMENT FOR SA, SA/INS, DRL, DRL/IRF

NSC FOR E.MILLARD

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E.O. 12958: DECL: 06-18-14

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SUBJECT: New GSL-drafted anti-conversion bill presented to Cabinet; still in early legal stage

Refs: (A) Colombo-SA/INS 06-18-04 unclass email

- (B) Colombo 970, and previous

(U) Classified by Ambassador Jeffrey J. Lunstead.  
Reasons 1.5 (b,d).

11. (C) SUMMARY: In recent meetings with top GSL officials, the Ambassador voiced USG concerns about reports of a draft anti-conversion bill and the implications for religious freedom in general. Both the President and Foreign Minister said they were not in favor of such legislation. In the meantime, however, the Buddhist Affairs Minister presented a separate draft anti-conversion bill to the Cabinet, despite his belief that parts of it were unconstitutional. The GSL-drafted bill was sent to the Attorney General's office for review and revision. Despite some high-level GSL opposition to an anti-conversion bill, certain extremist segments of the Buddhist constituency are demanding such legislative action by the government. END SUMMARY.

12. (C) PRESIDENT AGAINST ANTI-CONVERSION BILL: During a June 11 meeting with President Chandrika Kumaratunga, the Ambassador raised the issue of the draft anti-conversion bill recently published by a Buddhist monk MP for the Jathika Hela Urumaya (JHU) party, saying that the U.S. government was deeply concerned about the climate of religious freedom in Sri Lanka. The Ambassador added he had received letters from members of the U.S. Congress and had heard from many constituents in the U.S. who were extremely worried about the draft bill. Without hesitation, the President replied that she was quite against the draft bill, stating there were other ways of convincing people not to convert. The President felt that issues of poverty and economic assistance were contributing to the fear of so-called "unethical conversions". If there needs to be bill, the Ambassador said, make it a positive one. Contemplating alternative approaches, the President said she was considering establishing a National Harmony Committee in addition to encouraging religious leaders, especially Catholic and Buddhist clergy, to get together and discuss matters. The Ambassador offered to assist the GSL in addressing this issue.

13. (C) SEPARATE GSL-DRAFTED BILL: Unconnected with the JHU draft bill, Ratnasiri Wickremanayake, the Minister of Buddhist Sasana ("Affairs") submitted a separate government-drafted anti-conversion bill (Ref A) to a regular Cabinet meeting on June 16. (The Ambassador had a pre-scheduled meeting for June 18 with Wickremanayake -- see below for readout.) On June 18, local newspapers, including the government-owned English language daily DAILY NEWS, reported GSL spokesman Mangala Samaraweera's confirmation that the draft bill had been presented to the Cabinet.

14. (C) The Ambassador raised the issue of the new GSL anti-conversion bill with Foreign Minister Lakshman Kadirgamar on June 17. Kadirgamar said that the bill had indeed been discussed in the Cabinet, but it had not been approved. He said that he personally had raised several problems. The bill was very poorly drafted, so it was sent on to the Legal Draftsman's Office, in the Attorney General's department, for redrafting. Kadirgamar said that he had made it clear that the bill would have to be discussed by the Cabinet again after the redraft. He said that, in addition, the Attorney General would need to be consulted to see if the bill was constitutional.

15. (C) During the June 18 meeting with the Ambassador, Buddhist Affairs Minister Wickremanayake said he believed that parts of the new GSL draft bill would be found to be unconstitutional, but that he was compelled to present such draft legislation. Wickremanayake explained that the findings of a Buddhist Commission Report of 2002, which had been tabled in Parliament, had

cited the need for such legislation. The draft bill before the Cabinet was the GSL response to that requirement. The Ambassador pointed out the danger of trying to differentiate between ethical and unethical conversions and offered an alternative suggestion to bring together religious clergy to develop a type of voluntary "code of conduct." In reply, the Minister stated he would watch carefully the situation with the draft bill. Separately, Wickremanayake also said that he and the ministry did not tolerate attacks on churches and had taken steps to deal with the issue.

16. (C) COMMENT: Despite some high-level GSL opposition to an anti-conversion bill, certain extremist segments of the Buddhist constituency are demanding such legislative action by the government. Although the refrain heard most often from interlocutors is that such a bill would protect members of all religions from proselytization, it is clear that these two draft bills are in reaction to Buddhist fears of the work of evangelical Christian groups in Sri Lanka. The President, who among other remains opposed to such legislation, is likely to be quite annoyed that a GSL-drafted bill was presented to the Cabinet when she was out of the country. In the context of the ongoing ethnic conflict with the Tamils, she is cognizant of the poor appearance an anti-conversion bill would present to minority groups. That said, there has not been a loud voice from the GSL against efforts to develop an anti-conversion bill, possibly due to ongoing efforts to woo the votes of the nine JHU Buddhist monk MPs. (The nine votes would give the GSL the majority in Parliament it has yet to attain.) Government officials have a challenging task ahead if they are going to resolve the anti-conversion issue peacefully among the religious communities. END COMMENT.

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